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No. 126.

3d Session, 3d Parliament, 13 & 14 Vict., 1850.

BILL.

An Act for the better establishment and
maintenance of Grammar Schools in
Upper Canada.

Received and Read a first time, Friday, 28th
June, 1850.

Second Reading, Friday, 5th July, 1850.

HON. MR. HINCKS.

BILL.

An Act for the better establishment and maintenance of Grammar Schools in Upper Canada.

WHEREAS it is expedient to make further provision Preamble.
for the better establishment and maintenance of Grammar Schools in the several Counties and Cities in Upper Canada. Be it therefore enacted, &c.

- 5 That all moneys arising from the sale of lands set apart, Grammar School Fund; how constituted.
or which may hereafter be set apart for the encouragement of Grammar Schools in Upper Canada, and which shall not have been specially granted to, or vested in, or for the benefit of any particular College, Grammar School,
10 or other Seminary or place of Education, or otherwise departed with by the Crown, and all other moneys which have been, or may hereafter be granted by Parliament, or which may be or become otherwise available from any other sources for that purpose, shall form a fund, to be
15 called "*The Upper Canada Grammar School Fund*," and shall be invested in Government or other securities by the direction of the Governor in Council; and the annual income thereof, after the deduction therefrom of certain sums of money otherwise specially appropriated by this
20 Act, shall be annually apportioned to the several Cities, Counties and Unions of Counties in Upper Canada, by the Chief Superintendent of Schools, according to the ratio of population in each City, County, and Union of Counties as compared with the population of Upper Canada; or if he shall think it expedient in case of a defective
25 census, he shall, with the approbation of the Governor in Council, apportion such moneys, according to the best evidence which he can obtain of the relative proportions of such population, having respect to an equitable apportionment thereof according to the said ratio of population: Provided always, that no larger sum shall be paid
30 from the said annual income for the support of any such County Grammar School in any City, County or Union of Counties during any one year than shall be raised for the same purpose in such City, County or Union of Counties, either by local assessment, subscription, or otherwise, over and above all expenses of collection, and exclusive of all fees of tuition: Provided also nevertheless, that the Grammar Schools in the Cities shall be entitled to the sums from the Upper Canada Grammar
40 School Fund which they have heretofore received respectively, upon the compliance of such Cities with the conditions prescribed in this Act. An equal sum to be raised from local sources.
Proviso: respecting Grammar Schools in Cities.

Local assess-
ment levied
and collected.

II. And be it enacted, That one-half of the sum or sums to be annually raised by local assessment or subscription in support of any County Grammar School, shall be levied and collected within the limits of the Town, or incorporated Village, or Township where such Grammar School shall be situated, and the other half of such sum or sums shall be collected in the other parts of the County embracing such Town, incorporated Village or Township. 5

County or City
Council to levy
assessments
for Grammar
School Houses
&c.

III. And be it enacted, That it may and shall be lawful for the Municipal Council of each County or City from time to time, to levy and collect by assessment such sum or sums as it shall judge expedient to purchase the site or sites of, to rent, build, repair, furnish, warm, and keep in order a Grammar School House or Grammar School Houses, and its or their appendages, grounds and enclosures, for procuring apparatus and text-books, for providing the salary of the Teacher or Teachers, and all other necessary expenses of such County Grammar School or Schools. 10 15 20

Grammar
School Fund
to be annually
apportioned on
or before the
1st day of May

IV. And be it enacted, That the Chief Superintendent of Schools for Upper Canada shall, on or before the first day of May in each year, notify each City and County Council, through the Clerk of the Council, of the annual apportionment of Grammar School moneys to such County ; shall give notice of the same to the Inspector General ; and such moneys shall be payable to the Treasurer or Chamberlain of each County and City entitled to receive it, on or before the first day of July in each year, in such manner as may be determined by the Governor General: Provided always, that the sum or sums raised by local assessment or subscriptions for the support of Grammar Schools, shall be payable each year on or before the twenty-fourth day of December. 25 30

Payable the
1st day of July

Proviso : local
assessment
payable the
24th day of
December.

County Gram-
mar School
Fund to be
wholly applied
in payment of
Teachers' sa-
laries.

V. And be it enacted, That the sum or sums of money annually apportioned to each City and County, as provided in the first section of this Act, and at least an equal sum or sums raised annually in such County, shall form the County Grammar School Fund for each County or City in Upper Canada ; and shall be expended in the payment of the salaries of Teachers, and for no other purpose, as hereinafter provided by this Act. 35 40

Subjects to be
taught in each
Grammar
School.

VI. And be it enacted, That in each County Grammar School provision shall be made for giving instruction, by Teachers of competent ability and good morals, in all the higher branches of a practical English and Commercial Education ; and also in the Latin and Greek Languages, so far as to prepare students for the University, according to a programme of studies and general rules 45

and regulations which shall be prescribed by the Council of Public Instruction for Upper Canada.

VII. And be it enacted, That the Council of Public Instruction for Upper Canada, (of which the Principal of the Royal Grammar School of Upper Canada College shall be a Member for the purposes of this Act,) shall prepare and prescribe a list of text-books, programme of studies, and general rules and regulations for the organization and government of the County Grammar Schools; and to appoint, from time to time, and fix the remuneration of a Special Inspector or Inspectors of said County Grammar Schools.

Council of Public Instruction to select text Books prescribe programme of studies and general rules and regulations.

To appoint special Inspector of Grammar Schools.

VIII. And be it enacted, That it shall be the duty of the Chief Superintendent of Schools to see that the County Grammar School Fund apportioned by him, is, in all cases, applied to the purposes hereinbefore prescribed; and that each County Grammar School is conducted according to the rules and regulations provided according to law; and to prepare suitable forms, and to give such instructions as he shall judge necessary and proper for making all reports and conducting all proceedings under this Act, and cause the same with a sufficient number of copies of this Act, and such general rules and regulations as shall be approved of by the Council of Public Instruction for the better organization and government of Grammar Schools, to be printed in a convenient form and transmitted to the parties required to execute the provisions of this Act: Provided always, that no such School shall receive any part of the County Grammar School Fund which shall not be conducted according to the provisions of this Act.

Duty of the Chief Superintendent of Schools.

Proviso.

IX. And be it enacted, That it may and shall be lawful for the Municipal Council of each County and City to appoint not less than six or more than eight fit and proper persons (three of whom shall be a *Quorum* for the transaction of business) as a Board of Trustees for each County Grammar School in such County: Provided always that two persons thus appointed (to be determined by such Council) shall retire from office annually (but may be re-appointed) and their places, as also any occasional vacancy, shall be filled up by such Council: Provided also, that the person appointed to fill such vacancy shall hold office only for the unexpired part of the term for which the person whose place shall have become vacant, was appointed to serve: Provided likewise, that the present Boards of Trustees of Grammar Schools shall continue in office until their successors shall have been appointed according to the provisions of this Act.

Trustees to be appointed by the County Councils.

First proviso.

Second proviso

Third proviso.

X. And be it enacted, That it shall be the duty of the Board of Trustees of each County Grammar School (the first meeting of whom may be called by any member:

Duties of each Board of Trustees.

To determine modes of proceeding.

First, To appoint annually, or oftener, a Chairman, Secretary and Treasurer, the times and places of their meetings, the mode of calling and conducting such meetings, and of keeping a full and correct account of their proceedings :

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To take charge of the Grammar School, appoint Masters, &c.

Secondly, To take the charge of each County Grammar School and the buildings and lands appertaining to it ; to appoint or remove the Master and other Teacher or Teachers in such School : to fix their salaries and prescribe their duties ; to appoint any other officers or servants in such School as they may judge expedient, and fix their remuneration ; to do whatever may be expedient with regard to erecting, repairing, warming, furnishing or keeping in order the building or buildings of such School and its appendages, lands and enclosures and to apply (if necessary) for the requisite sum or sums to be raised by municipal authority for such purpose or purposes :

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To levy rate-bills, etc.

Thirdly, To cause, in their discretion, to be levied by rate bill upon the parents and guardians of pupils attending such School, such additional sum or sums as they shall judge expedient towards making up the salaries of Teachers, providing the proper apparatus, text books, and registers, and for any other necessary expenses of such School, and they shall have the same authority, and proceed in the same manner as Common School Trustees in the levying and collecting of rate bills for Common Schools :

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May unite Common Schools with the Grammar School.

Fourthly, To employ any lawful means which they may judge expedient in concurrence with the Board of Trustees of Common Schools in the Township, Village, Town or City in which such County Grammar School may be situated, for uniting one or more of the Common Schools of such Township, Village, Town or City, or departments of them, with such County Grammar School : Provided always, that no such union shall take place without ample provision being made for giving instruction to the pupils in the elementary English branches, by a duly qualified English Teacher or Teachers : Provided also, that under such circumstances such County Grammar School may be regarded as a County Model School also, and perform the functions of other Model Schools as far as the Trustees shall deem it advisable :

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To see that pupils are provided with proper text-books, &c.

Fifthly, To see that the pupils of such County Grammar School are supplied with proper text-books ; that public half-yearly examinations of the pupils are held, and due notice given of them ; and that such School is conducted in accordance with the regulations which shall be provided according to law : Provided always, that the Master and other Teachers of such School shall observe the same regulations in respect to teaching, discipline,

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Duties of Master and Teachers.

keeping registers and Visitors' books, as are required by Law, of each Teacher of a Common School:

Sixthly, To give the necessary orders upon the County Treasurer for the amount of public money to which such School is entitled, and upon their own Treasurer for any balance in his hands for the payment of the salaries of the officers of such School, and of any necessary expenses; to prepare and transmit, before the fifteenth day of January, to the Chief Superintendent of Schools, an annual report, which shall contain a full and accurate account of all matters appertaining to such School, in accordance with a form of report which shall be provided according to law.

To give orders for the payment of Masters, etc.

To prepare & transmit annual reports.

XI. And be it enacted, That each County Grammar School shall be distinguished by prefixing to the term County, the name of the City, Town, or Village within the limits of which it may be situated.

Grammar School—how distinguished.

XII. And whereas it is desirable at all Seminaries and places of Education to direct attention to natural phenomena, and to encourage habits of observation; and whereas a better knowledge of the climate and meteorology of Canada will be serviceable to agricultural and other pursuits, and be of value to scientific enquirers: Be it therefore enacted, That it shall be part of the duty of the Master of every senior County Grammar School, to make the requisite observations for keeping and to keep a Meteorological Journal, embracing such observations and kept according to such form as shall from time to time be directed by the Council of Public Instruction; and all such journals or abstracts of them shall be presented annually by the Chief Superintendent of Schools to the Governor General with his Annual Report:

Masters of certain Grammar Schools to keep Meteorological Journals.

Every County Grammar School shall, on or before the last day of November, on thousand eight hundred and fifty, be provided at the expense of the County with the following instruments:

Instruments to be provided.

One Barometer:

One Thermometer for the temperature of the air:

One Thermometer for the temperature of evaporation:

One rain-guage and measure:

One wind vane:

And it shall be the duty of the Chief Superintendent of Schools to procure these instruments at the request of the Municipal Council of any County, and to furnish the Master of each senior County Grammar School with

a book for registering observations and with forms for abstracts thereof to be transmitted to the Chief Superintendent by such Master who shall certify that the observations required have been made with due care and regularity.

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School of Art
and Design for
U. C.

XIII. And be it enacted, That it may and shall be lawful for the Governor in Council to appropriate out of the moneys referred to in the first section of this Act, a sum not exceeding five hundred pounds in any one year, for establishing and maintaining a School of Art and Design 10 for Upper Canada, under the direction and control of the Council of Public Instruction, which shall establish such School in connection with the Normal School or otherwise, as it shall judge expedient, and shall employ the Professors or Teachers, and make all regulations for the 15 said School of Art and Design, and shall manage all the affairs thereof as is provided by law for the superintendence and management of the Normal School.

Former laws
repealed.

XIV. And be it enacted, That all former laws and statutes relating to Grammar Schools or Grammar School 20 moneys in Upper Canada, so far as they are contrary to provisions of this Act, shall be and the same are hereby repealed : Provided always, that all appointments of Trustees, Masters, or Teachers of Grammar Schools shall continue in force, as if made under the authority of this 25 Act, until revoked or changed according to the provisions of the same.

Proviso.

Commence-
ment of this
Act.

XV. And be it enacted, That this Act shall have force and effect upon from and after the first day of one thousand eight hundred and and not before. 30